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May 24, 2022

VIA ECF

The Honorable J. Paul Oetken
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Stafford v. International Business Machines Corporation
 Case No. 21-CV-06164 (S.D.N.Y.)

Dear Judge Oetken:

Respondent International Business Machines Corporation (“IBM”) submits this letter to respectfully request that the Court clarify its May 10, 2022 Opinion & Order (the “Order”), Dkt. No. 28, to ensure that the Clerk of Court unseals the proper version of the sealed arbitration award, if IBM does not file a timely Notice of Appeal. Plaintiff consents to IBM’s request.

In the Order, the Court directed the parties “to confer on any sensitive information about the non-party IBM employee and file proposed redactions under seal within two weeks after the issuance of this Opinion & Order, regardless of whether IBM plans to appeal.” (Order at 7.) The Parties conferred and have submitted the proposed redactions under seal today. (*See* Dkt. No. 29.)

In the Order and docket text entry, the Court also directed the Clerk of Court “to unseal Docket Number 7 thirty days after the date of this Opinion and Order, except that Docket Number 7 should remain sealed if IBM files a timely Notice of Appeal.” (Order at 8.) Docket Number 7 is the *unredacted* award. The Parties’ understanding is that the redacted award filed at Docket Number 29 is the award that should be unsealed (if IBM does not file a timely Notice of Appeal), according to the Court’s Order. Accordingly, IBM asks the Court to clarify that, should IBM not file a timely Notice of Appeal, the Clerk of Court should unseal the redacted award at Docket Number 29, and should *not* unseal the unredacted award at Docket Number 7.

Thank you for the Court’s attention to this matter.

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Respectfully submitted,

/s/ Matthew W. Lampe

Matthew W. Lampe

cc: All counsel of record